

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL 1998

B E F O R E

THE HON'BLE MR.JUSTICE H. RANGAVITTALACHAR

H.R.R.P. NO. 481 OF 1998

Dr. B.V. Ramesh Babu,  
S/o. A. Vishakantiah,  
aged 38 years,  
No. 467, Upstairs, Room No.3,  
Sampige Road,  
Malleswaram,  
Bangalore-3. .. Petitioner

(By Sri. Vishwanath Sabarad, Advocate)

And:

1. Smt. Nirmala,  
w/o. late Shivarudrappa,  
major,
2. Sri. H.S. Vinod Kumar,  
major.
3. Sri. H.S. Pradeep Kumar,  
major.

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4. Sri. H.S. Praveen Kumar,  
major.

5. Sri. H.S. Rajesh,  
major.

All are sons of late  
Shivarudrappa, All residents of  
No. 285, Rama Iyengar Road,  
Visweswarapuram,  
Bangalore-4.

.. Respondents

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H.R.R.P. is filed U/s. 50(1) of the  
KRC Act against the order dated 17.1.1998  
passed in HRC No. <sup>382</sup>~~382~~ of 1997 on the file  
of the XI Addl. Judge, Court of Small causes,  
Bangalore.

This H.R.R.P. coming on for admission  
this day, the Court made the following:

O R D E R

Petitioner filed an application under  
Sec. 19 of the Karnataka Rent Control Act  
seeking to deposit the monthly rents. This

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This application was resisted by the landlord and the learned Judge rejected the application on the ground that the tenant has not produced any material to show that the landlord refused to pay the rents.

I am in agreement with the findings of the learned Judge as it is well known that one of the pre-requisites for depositing the rents under Sec.19(2) is that the tenant must attempt to pay the rents to the landlord either by Money Order or as is provided under the Rent Control Act. It is only on his refusal to accept, he is entitled to make an application.

No ground. Rejected.

Sd/- Judge.

Ms

R.By: *CR*

C.By: *R*



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Assistant Registrar  
High Court of Karnataka  
Bangalore-560 081

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*216/98*

